



CITY OF CHULA VISTA  
MULTIPLE SPECIES  
CONSERVATION PROGRAM  
2007 ANNUAL REPORT



# **City of Chula Vista Multiple Species Conservation Program (MSCP)**

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## **2007 Annual Report**

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## SECTION 1.0 - INTRODUCTION

The report has been prepared in accordance with Section 5.5 (Preserve Assembly Accounting) of the City of Chula Vista (City) Multiple Species Conservation Program (MSCP) Subarea Plan, and Section 14.1 of the City's associated Implementing Agreement (IA). In addition, this report has been prepared based on recommendations provided by the U.S. Fish and Wildlife Services (dated September 19, 2007) and formatted pursuant to guidelines outlined in the California Department of Fish and Game (CDFG) entitled "*Reporting Requirements for NCCP/HCP's*." This report provides a summary of the habitat lost and gained beginning January 2007 through the end of the calendar year and identifies measures taken by the City to maintain the goals and objectives of its Subarea Plan.

## SECTION 2.0 - 2006 ANNUAL REPORT CORRECTIONS

In preparing this Annual Report, the City identified an error in the Baseline Preserve acreage associated with a land acquisition and Preserve Boundary Adjustment that were accounted for in 2006 Annual Report. This section discusses these errors and clarifies how these issues have been corrected in this report.

### **Otay Valley Regional Park Acquisition**

In the 2006 Annual Report, the City noted the acquisition of approximately 174 acres of land within the Otay Valley Regional Park (OVRP) in the City of Chula Vista. This acquisition of land for the OVRP was accounted for due to the City's joint participation under the Joint Exercise of Powers Agreement (JEPA) with the City of San Diego and County of San Diego (County), which was established to coordinate the acquisition, development, operation and maintenance of OVRP land and park facilities. In reviewing previous land acquisitions with County staff, it was determined that the City was provided the incorrect property boundary for the land that was acquired for the OVRP in 2006. Ultimately, the County purchased approximately 113 acres within the Otay Ranch Preserve versus the 174 acres that was counted as a gain in the City's 2006 Annual Report. A break down of the vegetation communities existing on this 113-acre site is provided in Table 2.1.

**Table 2.1 – Vegetation Acreages in 2006 Acquired Land**

<b>Vegetation Type</b>	<b>Acreage</b>
Coastal Sage Scrub	45.79
Maritime Succulent Scrub	6.88
Riparian Scrub	9.13
Annual Grassland	30.74
Agriculture	18.22
Urban/Developed	2.40
<b>TOTAL</b>	<b>113.16</b>

### **Otay Ranch Village Two, Three, and a Portion of Village Four – Preserve Boundary Adjustment**

As a part of the approval of the Section Planning Area (SPA) Plan for the Otay Ranch Village Two, Three, and a Portion of Village Four project (collectively referred to as Village Two), the developer proposed a modification to the City's Preserve boundary. The proposed Boundary Adjustment encroached upon the Preserve in the western fork of Wolf Canyon and added Preserve in the northern portion of the main drainage of the canyon. The Boundary Adjustment converted developable land (i.e.,

land that is approved for development within the Subarea Plan) to Preserve, and proposed development on land that was identified as Preserve in the Subarea Plan. The implementation of the Boundary Adjustment was accounted for as an overall net increase of MSCP Preserve land largely consisting of Maritime Succulent Scrub habitat.

In the 2006 Annual Report, it was noted that approximately 33.9 acres were lost from the Preserve in association with this Boundary Adjustment. Conversely, the Boundary Adjustment added 41 acres to the Preserve, which was accounted for as a gain. Because the 41 acres had not been officially conveyed to the City by the property owner (Otay Ranch Company), it should not have been accounted for as an actual gain.

Table 2.2 shows the recalculated acreages ending in 2006. Overall, in 2006, an additional 113 acres were added to the City's Preserve resulting in a total of 6,974 acres (including pending gain) of secured MSCP Preserve land. Based on the total cumulative gain for 2006, the City met 75% of its targeted 9,243 acres of Preserve lands that must be secured in accordance with the City's MSCP Subarea Plan. It is important to note that the corrected Baseline Preserve total of 2,772 acres will be used in this Annual Report to calculate the City's Preserve acreage ending in 2007.

### **SECTION 3.0 – PRESERVE ASSEMBLY**

In accordance with Section 4.3 (Preserve Assembly by Local Jurisdictions) of the MSCP Subregional Plan, each local jurisdiction participating in the MSCP is responsible for taking the following actions to assemble the MSCP Preserve:

1. Contribute identified existing public lands to permanent habitat conservation and management;
2. Establish a regional funding source or alternative sources for the acquisition, management, monitoring, and program administration of the local jurisdictions share of the MSCP Preserve;
3. Acquire privately owned habitat in the MSCP Preserve from willing sellers when a regional funding source is established;
4. Manage and monitor habitat lands that are currently owned or newly acquired in the MSCP Preserve for habitat conservation, using the regional funding source; and
5. Review and approve conservation or development of privately owned habitat in accordance with local land use regulations, including zoning, biological and resource protection ordinances, and environmental review. Significant portions of the MSCP Preserve will be assembled using the local jurisdictions' normal land use planning and project approval process.

As detailed in Section 10.2 of the City's IA, implementation of the City's MSCP Subarea Plan will ensure conservation and management of approximately 9,243 acres. Of this 9,243 acres, an estimated 4,993 acres will be located within the Subarea and will result in a Preserve that is managed by the City and/or appropriate designated managing entities. In cooperation with the County of San Diego, the City is also further committed to preserving approximately 4,250 acres located outside the City's jurisdictional and MSCP Subarea Plan boundary, within the Otay Ranch Planning Area. Figure 1 illustrates the Chula Vista MSCP Planning Area and the Chula Vista Subarea in relation to areas that will be permanently conserved.

The City's Subarea Plan is unique in that one hundred percent of the MSCP Preserve (Preserve) will be established through the entitlement process and/or pursuant to agreements between landowners and the Wildlife Agencies. This provides certainty to both landowners and the Wildlife Agencies that planning development can proceed without additional conservation requirements, and that areas proposed for conservation will be permanently dedicated. While this approach is not unusual in multi-species planned efforts that involve a single landowner, land subject to future development within the City of Chula Vista is under multiple ownerships. The planning effort undertaken in developing the Chula Vista Subarea Plan

## TABLE 2.2 - Summary of Habitat Losses and Gains

Begin Period: 01/01/2006

End Period: 12/31/2006

Duration in days: 365

Habitat Type	Target Cons	Inside the Habitat Preserve Planning Area					Outside the Habitat Preserve				Total			
		Habitat Loss		Habitat Gain			Habitat Loss		Habitat Gain		Habitat Loss		Habitat Gain	
		Current Period	Cumulative	Current Period	Cumulative	Cons. to Date %	Current Period	Cumulative	Current Period	Cumulative	Current Period	Cumulative	Current Period	Cumulative
Coastal Sage Scrub	2,418	1.5	1.5	45.4	1,497.5	61.9	0.0	14.0	0.4	9.9	1.5	15.5	45.8	1,507.5
Maritime Succulent Scrub	190	0.7	0.7	4.7	83.0	43.7	0.0	0.0	2.2	2.5	0.7	0.7	6.9	85.5
Chaparral	28	0.0	0.0	0.0	27.6	98.6	0.0	0.2	0.0	0.1	0.0	0.2	0.0	27.7
Grassland	896	30.9	30.9	20.0	232.3	25.9	0.0	76.4	10.8	10.8	30.9	107.3	30.7	243.1
Southern Coastal Salt Marsh	202	0.0	0.0	0.0	188.8	93.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	188.8
Freshwater Marsh	14	0.0	0.0	0.0	3.7	26.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.7
Riparian Forest	10	0.0	0.0	0.0	9.8	98.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.8
Riparian Scrub	594	0.0	0.0	2.5	101.6	17.1	0.0	0.0	6.7	7.3	0.0	0.0	9.1	108.9
Eucalyptus Woodland	18	0.0	0.0	0.0	12.7	70.4	0.0	0.0	0.0	0.1	0.0	0.0	0.0	12.7
Open Water	24	0.0	0.0	0.0	6.9	28.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.9
Disturbed Wetland	15	0.0	0.0	0.0	4.2	28.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.2
Natural Floodchannel	146	0.0	0.0	0.0	112.1	76.8	0.0	0.0	0.0	3.8	0.0	0.0	0.0	115.9
Shallow Bays		0.0	0.0	0.0	9.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.2
Disturbed Land	352	0.0	0.0	0.0	181.3	51.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	181.3
Agriculture	62	0.8	0.8	10.0	16.8	27.1	0.0	0.0	8.2	8.2	0.8	0.8	18.2	25.0
Urban/Developed	22	0.0	0.0	2.4	238.1	1,082.2	0.0	0.0	0.0	3.2	0.0	0.0	2.4	241.3
Grand Total:		33.9	33.9	84.9	2,725.7		0.0	90.7	28.3	45.8	33.9	124.6	113.2	2,771.4

NOTE: The Agriculture and Urban/Developed category is included to account for all land included within a project and habitat preserve planning area.

involved extensive coordination among these landowners, the City and the Wildlife Agencies to reach agreement on a mutually acceptable Preserve configuration. The process proved to be successful, resulting in landowners agreeing to develop their properties in accordance with existing and proposed land use plans, as well as conservation requirements for each of the 86 covered species.

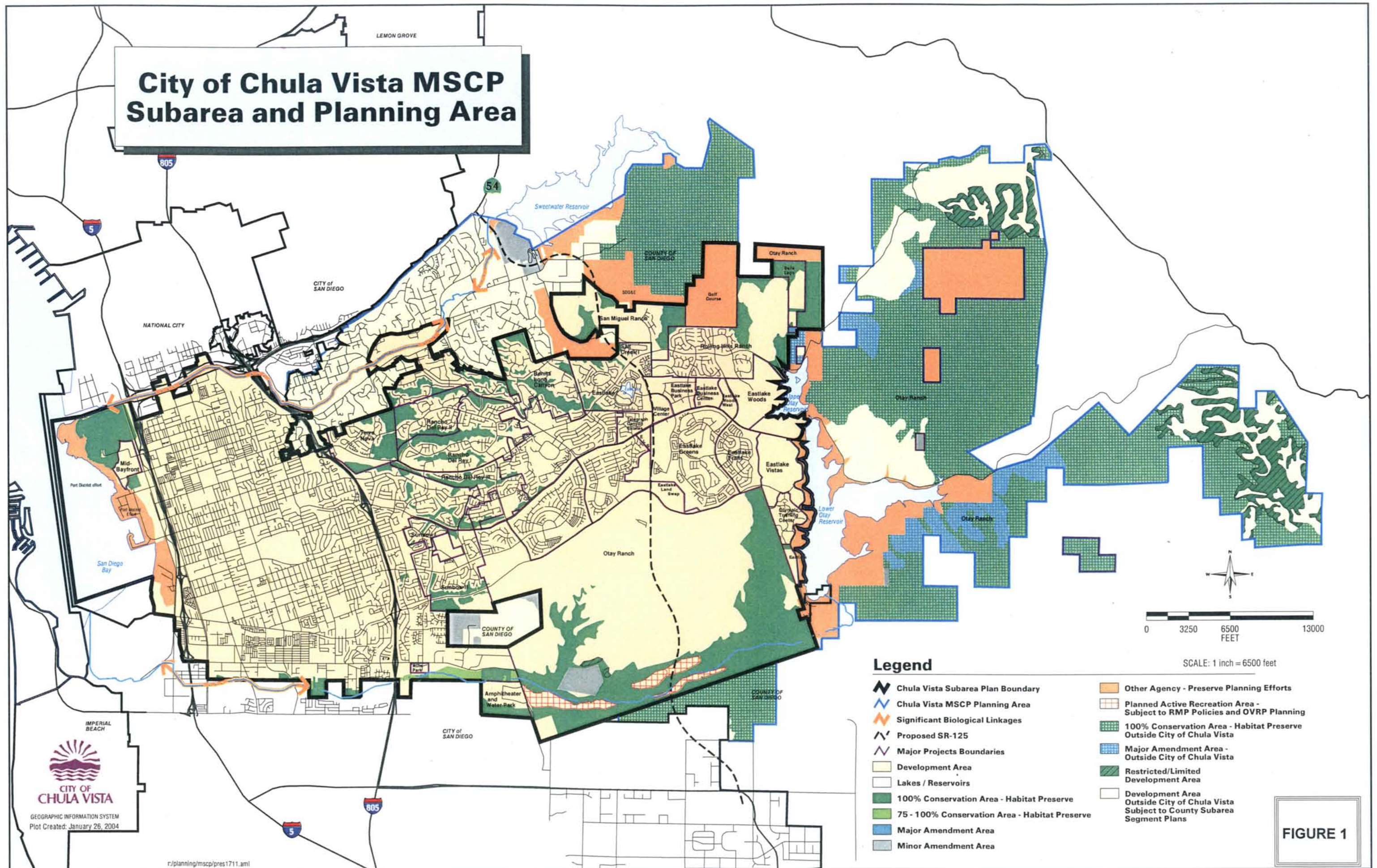
The total land estimated to be conserved through implementation of the Chula Vista Subarea Plan is shown below on Table 3.1. As the Subarea Plan is implemented, conservation will occur both within and outside the City. Land conserved within the City will be conveyed into the Preserve. All land being conveyed will be accompanied by a conservation easement or other legal mechanism to insure that lands are protected in perpetuity. Conservation outside the City will occur within the County of San Diego Subarea Plan MSCP (South County Segment) and will be conserved in accordance with the conservation mechanisms identified in the Otay Ranch Resource Management Plan (RMP).

**Table 3.1 – 2006 Preserve Acreage Within Chula Vista MSCP Subarea Plan**

<b>Vegetation Communities</b>	<b>Total Acreages in Subarea</b>	<b>Obligated Conservation Acreages per IA</b>	<b>Existing Preserve Acres (2006)</b>
<b>Upland Habitats</b>			
Coastal Sage Scrub	3,815	2,418	1508
Maritime Succulent Scrub	293	190	86
Chaparral	28	28	28
Grassland (all types)	3,125	896	243
Oak Woodland	2	2	0
Eucalyptus Woodland	43	18	13
<i>Upland Subtotals</i>	<i>7,306</i>	<i>3,552</i>	<i>1,878</i>
<b>Wetlands</b>			
Southern Coastal Salt Marsh	204	202	189
Freshwater/Alkali Marsh	16	14	4
Riparian Forest	10	10	10
Riparian/Tamarisk Scrub	604	594	109
Open Water/Freshwater	59	24	7
Disturbed Wetlands	28	15	4
Natural Flood Channel	159	146	116
<i>Wetland Subtotals</i>	<i>1,080</i>	<i>1,005</i>	<i>439</i>
<b>Other/Non-Habitat</b>			
Disturbed	845	352	181
Agriculture	6,192	62	25
Developed	15,288	22	241
Shallow Bays	1,322	0	9
Other Agencies	1,012	0	0
<i>Other Subtotal</i>	<i>24,659</i>	<i>436</i>	<i>456</i>
<b>Total Acreages Within Chula Vista Subarea Plan Boundary</b>	<b>33,045</b>	<b>4,993</b>	<b>2,772</b>

For development projects requiring subdivision approval, land will be offered for conveyance or dedication to the Preserve concurrent with City approval of a final map or parcel map. For development projects requiring a rezoning, SPA Plan or Precise Plan approval, the project proponent may choose to offer land for dedication simultaneously with City approval of a tentative map in order to obtain earlier third-party beneficiary status. For development projects requiring only issuance of a grading permit, land must be offered for conveyance or dedication to the Preserve prior to issuance of a grading permit.

# City of Chula Vista MSCP Subarea and Planning Area



**FIGURE 1**

When Take is authorized through the issuance of a Habitat Loss and Incidental Take (HLIT) Permit for projects that are located within mapped Development Areas Outside of Covered Projects, impacts will be mitigated in accordance with the HLIT Ordinance, thus adding to the estimated conservation levels identified in the City's Subarea Plan. To ensure complete assembly of the Preserve as planned by the Subarea Plan, the City first encourages mitigation to be conducted within the City's Preserve and alternatively allows the purchase of land for mitigation outside the Preserve.

As identified in the City's first Annual Report, the Baseline Preserve Area within the City of Chula Vista consists of existing open space areas that were negotiated to be included in the Preserve prior to, or concurrently with, the approval of the City of Chula Vista's MSCP Subarea Plan. Prior to the effective date of the City's IA (January 13, 2005), approximately 2,658 acres of the required 4,993 acres to be preserved within the City's MSCP Subarea Plan boundary were included in the City's MSCP Baseline Preserve. The City's Preserve Area beginning in 2007 totaled approximately 2,772 acres and is illustrated on Figure 2.

#### **SECTION 4.0 – HABITAT LOSS AND GAIN FOR 2007**

The results presented in this section of the report reflect the implementation of the City's MSCP Subarea Plan during the year 2007. The term "loss" or "take" is used to describe habitat that has been disturbed by development activities. Habitat loss is generally acknowledged at the time grading permits are issued. The term "gain" is used to describe habitat that has been formerly dedicated into the Preserve and for which a Preserve Manager has been retained. The term "pending gain" is used to describe habitat that is currently secured via IOD or similar mechanism, but has not been formerly transferred in to the Preserve and for which a Preserve Manager has not been identified.

Within the Otay Ranch General Development Plan (GDP) Planning Area, conveyance obligations established by the adopted Otay Ranch GDP and associated Otay Ranch RMP (Phase 1 and Phase 2) create a unique circumstance whereby losses occur at issuance of a grading permit and conveyance mitigation is offered in the form of an IOD prior to recordation of a final map. Conveyances are not formally acknowledged as a gain until the associated IOD has been officially accepted and title has been transferred to the Preserve Owner/Manager (POM). Because Otay Ranch is identified as a Covered Project under the City's MSCP Subarea Plan, development projects within Otay Ranch are required to dedicate conservation land as development occurs pursuant to individual project approvals and simultaneously with issuance of final map as required by tentative map conditions. This provision ensures that developers will convey Preserve land to the City during the land development process.

Habitrak software was used to identify the total amount of baseline conservation that has occurred to date and compare that against the 9,243-acre conservation goal of the City's MSCP Subarea Plan. Additionally, Habitrak software was used to verify that the City's conservation efforts have occurred in "rough-step" with development. It should be noted that the acreages using the Habitrak software differ slightly than the actual acreages approved for the project due to minor discrepancies in mapping conventions. A summary of the 2007 development activities resulting in gains and loss within the City are discussed below.

#### **County of San Diego Plaza Bonita Bike Path – Habitat Loss**

In 2007, the County proposed the construction of a two-way bike path and equestrian trail of approximately 3,150 linear feet along Plaza Bonita Road between Bonita Road and Bonita Mesa Road. A portion of the project that is located on a 14-acre parcel designated as 75-100% Preserve under the City's MSCP Subarea Plan. Because the project was deemed a Planned Facility, the County was required to demonstrate compliance with the City's Facilities Siting Criteria (Section 6.3.3.5 of the Subarea Plan) to

ensure the trail alignment was located in the least environmentally sensitive area. In addition, because the project was located on a parcel designated as 75-100% Preserve, the County also had to demonstrate that the project would limit impacts to 25 percent (or less) of the parcel. Ultimately, the City determined that the project to be in compliance with the provisions of the Subarea Plan. The City issued a HLIT Permit for impacts to 0.3-acre of non-native grassland and the County mitigated for this impact by purchasing habitat credits within the Rancho San Diego Mitigation Bank.

### **Otay Ranch Village Two, Three, and a Portion of Village Four – Habitat Loss and Pending Gain**

In 2006, the City approved the Otay Ranch Villages Two SPA Plan Environmental Impact Report (EIR) (EIR02-02, SCH. No. 2003091012). The project will result in the development of an 1,187-acre site in Village Two, Three, and Four (portion) of the Otay Ranch GDP, with 986 single-family residential lots, 1,800 multi-family dwelling units, neighborhood and community parks, community purpose facilities, elementary school site, open space, and circulation, trail and infrastructure network to serve these uses. The project is located in the Eastern Territories area of the City.

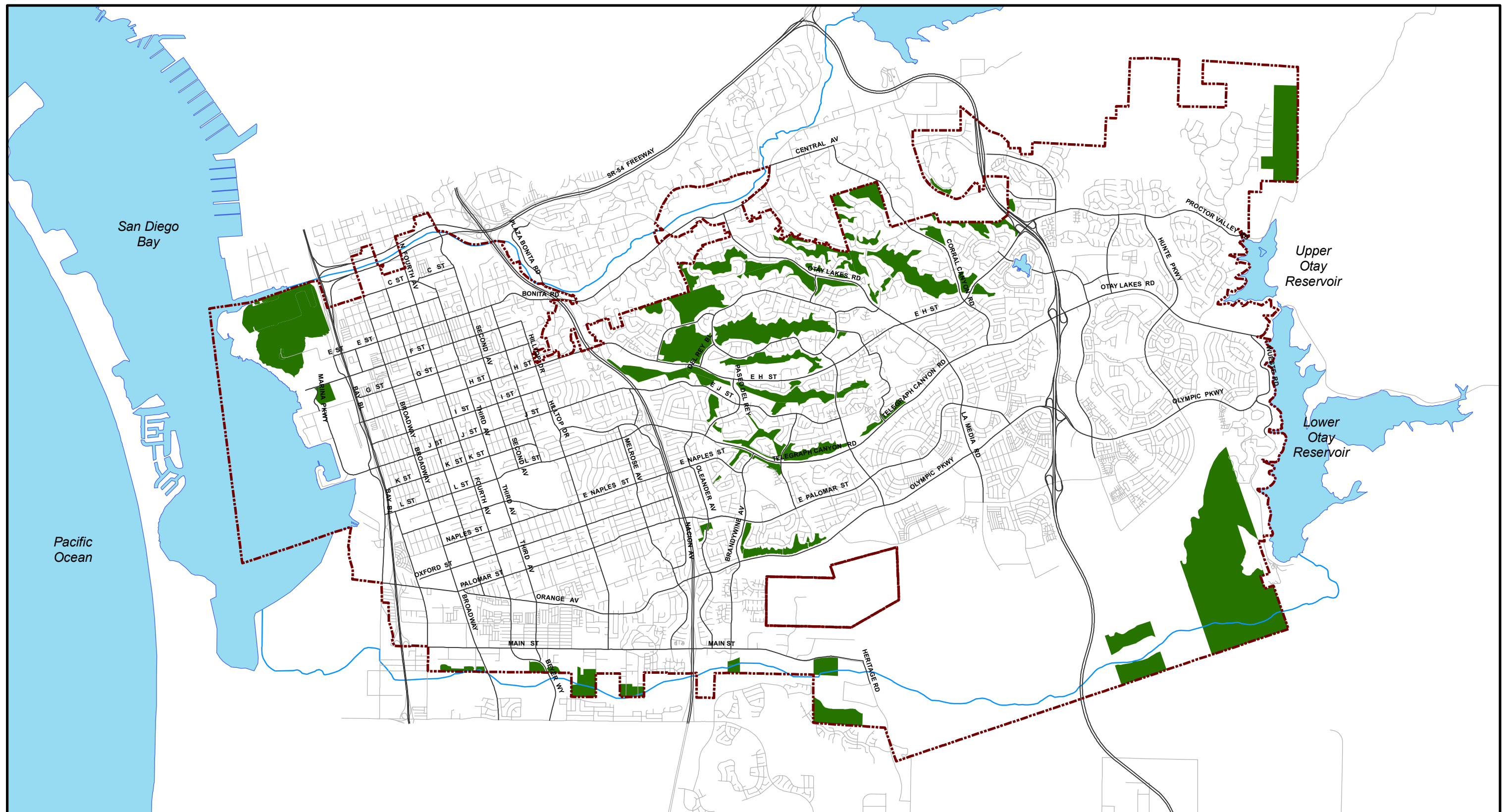
Early in 2007, the City issued a grading permit for the mass grading of Village Two (north), consisting of approximately 314 acres (loss) of developable land. Subsequently, in September of 2007, the City Council of the City of Chula Vista approved two Final Maps for the Otay Ranch Village Two, Three, and a Portion of Village Four project. Prior to approval of the Final Map, the developer (Otay Ranch Company) offered IODs for a total of approximately 370 acres of land within the Otay Ranch Preserve in accordance with the Otay Ranch RMP conveyance requirements. Of the 370 acres, approximately 70 acres is within the City of Chula Vista and the remaining 300 acres is located east of Otay Lakes. Conveyance obligations are not reported as a gain until the IOD has been formally accepted by the City and title has been transferred to the POM. At this time, the POM is coordinating with the developer to make sure the Phase I environmental site assessment for the lands to be conveyed is complete in order to verify that the lands are clean from hazardous materials prior to acceptance. In addition, the developer is also being required to show evidence that adequate access to the land is available to allow for the POM to conduct future monitoring and maintenance. Therefore, the 300 acres dedicated within the Otay Ranch Preserve has been accounted for as a pending gain. It is anticipated that the IODs for this project will be accepted by the POM by Summer 2008.

### **Overall Summary of Habitat Loss and Gains**

In order to determine the total habitat loss and gains for 2007, Table 4.1 was generated using Habitrak software. It is important to note that the acreages using the Habitrak software differ slightly than the actual acreages approved for the project due to minor discrepancies in mapping conventions.

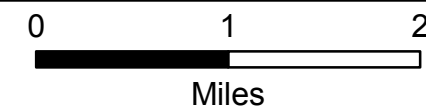
As shown in Table 4.1, Habitrak calculated a loss of 0.3-acre of non-grassland from the City's Preserve in association with the development of the County's Plaza Bonita Bike Path project. Additionally, approximately 314 acres of developable land has been lost due to mass grading for the southern portion of the Village Two. Figure 3 illustrates the status of the City's Preserve at the end of 2007.

At the end of 2007, the City's Preserve acreage within the Subarea Plan boundary remained at 2,772 acres. Based on the total cumulative gain (including pending gains), the City has currently met 79% (7,274 acres) of its targeted 9,243 acres of Preserve lands that must be secured in accordance with the City's MSCP Subarea Plan. Through future development entitlements, the City will continue to dedicate and convey land to Preserve in order to meet our obligation.



#### Legend

- City of Chula Vista MSCP Subarea Plan Boundary
- Baseline Preserve (Beginning Year 2007)



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Fig2\_Baseline.mxd 02/18/08

**FIGURE 2**  
**BASELINE**  
**PRESERVE AREA**

## TABLE 4.1 - Summary of Habitat Losses and Gains

Begin Period: 01/01/2007

End Period: 12/31/2007

Duration in days: 365

Habitat Type	Target Cons	Inside the Habitat Preserve Planning Area					Outside the Habitat Preserve				Total			
		Habitat Loss		Habitat Gain			Habitat Loss		Habitat Gain		Habitat Loss		Habitat Gain	
		Current Period	Cumulative	Current Period	Cumulative	Cons. to Date %	Current Period	Cumulative	Current Period	Cumulative	Current Period	Cumulative	Current Period	Cumulative
Coastal Sage Scrub	2,418	0.0	1.5	0.0	1,497.5	61.9	0.0	14.0	0.0	9.9	0.0	15.5	0.0	1,507.5
Maritime Succulent Scrub	190	0.0	0.7	0.0	83.0	43.7	0.0	0.0	0.0	2.5	0.0	0.7	0.0	85.5
Chaparral	28	0.0	0.0	0.0	27.6	98.6	0.0	0.2	0.0	0.1	0.0	0.2	0.0	27.7
Grassland	896	0.0	30.9	0.0	232.3	25.9	0.0	76.4	0.0	10.8	0.0	107.3	0.0	243.1
Southern Coastal Salt Marsh	202	0.0	0.0	0.0	188.8	93.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	188.8
Freshwater Marsh	14	0.0	0.0	0.0	3.7	26.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.7
Riparian Forest	10	0.0	0.0	0.0	9.8	98.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.8
Riparian Scrub	594	0.0	0.0	0.0	101.6	17.1	0.0	0.0	0.0	7.3	0.0	0.0	0.0	108.9
Eucalyptus Woodland	18	0.0	0.0	0.0	12.7	70.4	0.0	0.0	0.0	0.1	0.0	0.0	0.0	12.7
Open Water	24	0.0	0.0	0.0	6.9	28.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.9
Disturbed Wetland	15	0.0	0.0	0.0	4.2	28.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.2
Natural Floodchannel	146	0.0	0.0	0.0	112.1	76.8	0.0	0.0	0.0	3.8	0.0	0.0	0.0	115.9
Shallow Bays		0.0	0.0	0.0	9.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.2
Disturbed Land	352	0.0	0.0	0.0	181.3	51.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	181.3
Agriculture	62	0.0	0.8	0.0	16.8	27.1	0.0	0.0	0.0	8.2	0.0	0.8	0.0	25.0
Urban/Developed	22	0.0	0.0	0.0	238.1	1,082.2	0.0	0.0	0.0	3.2	0.0	0.0	0.0	241.3
Grand Total:		0.0	33.9	0.0	2,725.7		0.0	90.7	0.0	45.8	0.0	124.6	0.0	2,771.4

NOTE: The Agriculture and Urban/Developed category is included to account for all land included within a project and habitat preserve planning area.

### **Status of Previous Pending Gains**

As noted earlier in this section of the report, the term “pending gain” is used to describe habitat that is currently secured via IOD or similar mechanism, but has not been formerly transferred in to the Preserve and for which a Preserve Manager has not been identified. In the 2006 Annual Report, the City noted the status of IODs received for lands to be conveyed into the City’s Preserve. As noted in the 2006 report, formal transfer of the land to the Preserve had not occurred at that time. These areas are shown in Figure 3. The following provides a current status of the pending gains that were identified in the City’s 2006 Annual Report.

#### **Bella Lago**

Bella Lago is a covered project as defined by Section 5.1.1 of the City’s MSCP Subarea Plan. In 2005, grading for this project resulted in a loss of approximately 90.7 acres of upland habitat located outside of the City’s designated Preserve. Habitat preservation for this project consists of an on-site preservation of 86.5 acres of upland habitat with an additional off-site preservation of 2.5 acres of land containing a minimum of 210 Otay Tarplants.

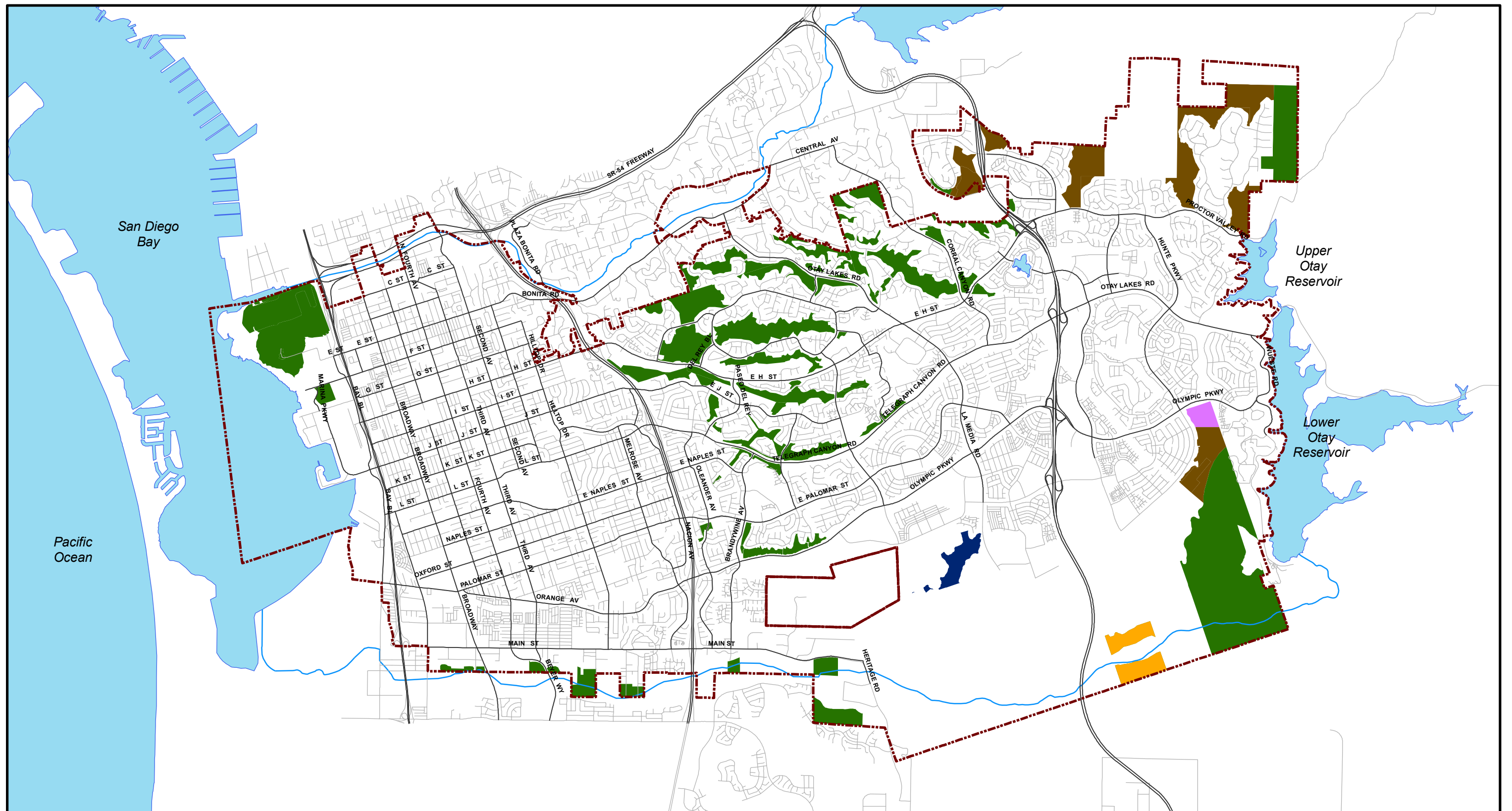
On-site preservation of the 86.5 acres of upland habitat was provided through an IOD that was offered by the developer concurrent with recordation of the project’s first final map. In addition, the developer satisfied the off-site Otay Tarplant requirement through the purchase of a 10-acre parcel located in Wild Man’s Canyon, County of San Diego. Until the 86.5 acres of on-site habitat and the 10-acres of off-site habitat have been transferred to an appropriate management entity they will not be reported as a gain. As such, the City acknowledges these dedications as a pending gain. It is anticipated that the 10-acre parcel will be transferred to the National Wildlife Refuge (NWR) for inclusion into their existing habitat conservation program. In addition, approximately 77 acres of on-site habitat located at the northern portion of the project site will be conveyed to the NWR. Until these areas have been transferred over to the NWR or another management entity acceptable to the City, the 10-acre off-site open space parcel and the 77 acres on-site will not be reported as a gain.

At this time, negotiations continue to take place with the NWR in order to determine the transfer of the 10-acre parcel and the 77 acres located on-site. Because the remaining open space parcels are not contiguous with other designated Preserve, it is difficult for the developer to find an appropriate land manager. The City is continuing to coordinate with the developer to find an appropriate manager. The developer is currently providing interim management of the on-site open space areas in accordance with the specified requirements of the project’s Area Specific Management Directives (ASMDs).

#### **Rolling Hills Ranch**

In 2005, habitat conservation for Rolling Hills Ranch accounted for 265.9 acres of on-site preservation combined with an additional 48.7 acres of off-site habitat located in Johnson Canyon. Of the 265.9 acres conserved on-site, approximately 214.2 acres were incorporated into the Preserve. The remaining on-site open space, which includes the two separate Tarplant Management Areas (TMAs) and the three neutral open areas, are not included in the Preserve due to their disturbed nature and lack of connectivity to the adjacent NWR open space corridor.

Within Rolling Hills Ranch, on-site open space areas intended for inclusion into the Preserve have been secured through IODs offered by the developer (McMillin Land Development) but were reported as a pending gain until they are conveyed to an appropriate management entity. Currently, the developer is coordinating with the City to identify an appropriate management entity for the on-site open space areas.



### Legend

- City of Chula Vista MSCP Subarea Plan Boundary
- Baseline Preserve (Beginning Year 2007)
- 2006 Land Acquisition Gain (OVRP)
- Pending Gain (As of 2005)
- Pending Gain (As of 2006)
- Pending Gain (As of 2007)



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**FIGURE 3**  
**CURRENT PRESERVE**  
**STATUS WITHIN**  
**MSCP SUBAREA**

McMillin is exploring the possibility of transferring the management and maintenance responsibilities of both the on- and off-site open space areas over to the POM. In the event that the POM does not accept these areas, then another conservation entity acceptable to the Wildlife Agencies and the City will be selected. Until a management entity has been identified, the developer will continue to provide interim management of the on-site open space areas in accordance with the specified requirements of the project's ASMDs.

## **Otay Ranch**

The City's first Annual Report noted that the City Council of the City of Chula Vista approved seven final maps within the Otay Ranch Planning Component in 2005. The resulting developable acreages (losses) within the Otay Ranch Planning Component totaled 258.8 acres. In accordance with the adopted RMP conveyance schedule, the developers have offered IODs totaling 307.5 acres (pending gain). Conveyance obligations are not reported as a gain until the respective IOD has been formally accepted and title has been transferred to the POM. In addition, in the 2006 Annual Report, the City reported an IOD offered by Brookfield Shea Otay, LLC for approximately 40 acres of land within Salt Creek for the development of Otay Ranch Village 11. At this time, the POM has not formally accepted this land; therefore, the 40 acres dedicated within Salt Creek is still accounted for as a pending gain. It is anticipated that this land will be accepted by the POM by Summer 2008.

## **SECTION 5.0 – PRESERVE MANAGEMENT AND MONITORING**

Management and monitoring of the Preserve is an important element in its success, and to the overall success of the MSCP Subregional program. The overall management goal of the MSCP Subregional Plan and the City's Subarea Plan is to ensure that the biological values of natural resources, where land is preserved as part of the MSCP through acquisition, regulation, mitigation or other means, are maintained or improved over time.

The City will be responsible for the maintenance and management of Preserve land owned in fee title by the City. Lands in the Preserve which are set aside as open space through the development process but are not dedicated in fee title to, and accepted by the City, will be managed by the landowner or a third-party managing entity under the control of the City. Within the Otay Ranch Planning Component, Preserve land will be maintained and managed by the Otay Ranch Preserve/Owner Manager (POM). Lastly, Federal and State agencies will maintain, manage and monitor their present land holdings, as well as those in which they acquire a legal interest.

Land located in the Preserve will be managed and maintained in accordance with specific management objectives identified in the City's Subarea Plan. These objectives are as follows:

1. To ensure the long-term viability and sustainability of native ecosystem function and natural processes throughout the Preserve.
2. To protect existing and restored biological resources from intense or disturbing activities within the Preserve while accommodating compatible uses.
3. To enhance and restore, where feasible, appropriate native plant associations and wildlife connections to adjoining habitat in order to provide viable wildlife and sensitive species habitat.
4. To facilitate monitoring of selected target species, habitats, and linkages in order to ensure long-term persistence of viable populations of priority plant and animal species and to ensure functional habitats and linkages for those species.

Each area of the City's Preserve is unique in terms of existing conditions, Preserve configuration, ownership of land, the existence and location of sensitive species, and management needs. The City's Subarea Plan divides the Preserve into three distinct Preserve Management Areas (PMAs): the Central City PMA, North City PMA and Otay Ranch PMA. Figure 4 illustrates these PMAs.

### **Central City PMA**

In August 2001, the California Department of Fish and Game awarded the City of Chula Vista a Natural Community Conservation Planning (NCCP) Program grant to prepare Area Specific Management Directives (ASMDs) for Preserve Management Areas (PMAs) designated within the City's Central City Preserve. The ASMDs provide specific guidelines for protection and long-term maintenance and management of approximately 1,350 acres of preserve land within the Central City Preserve. The ASMDs are in the final stages of completion and will be completed by February 2008. The City is striving to implement appropriate surveys and monitoring tasks that have been identified in the ASMDs by Fall 2008.

In the interim, general maintenance activities are being implemented within the Central City PMA in order to maintain the existing condition of the Preserve. The City's Open Space Division of the Department of Public Works is currently implementing various Priority I general maintenance tasks within or adjacent to the Central City Preserve where funding is available. As identified in the City's MSCP Subarea Plan, Priority I general maintenance tasks consists of the following:

- Removal of trash, debris, and other solid waste;
- Maintenance of trails and fences;
- Implementation of security programs to enforce "no trespassing" rules, curtail illegal activities and activities that may degrade resources, such as grazing, shooting, illegal planting, dumping, and off-road vehicle traffic; and
- Limited weeding along Preserve/urban interfaces.

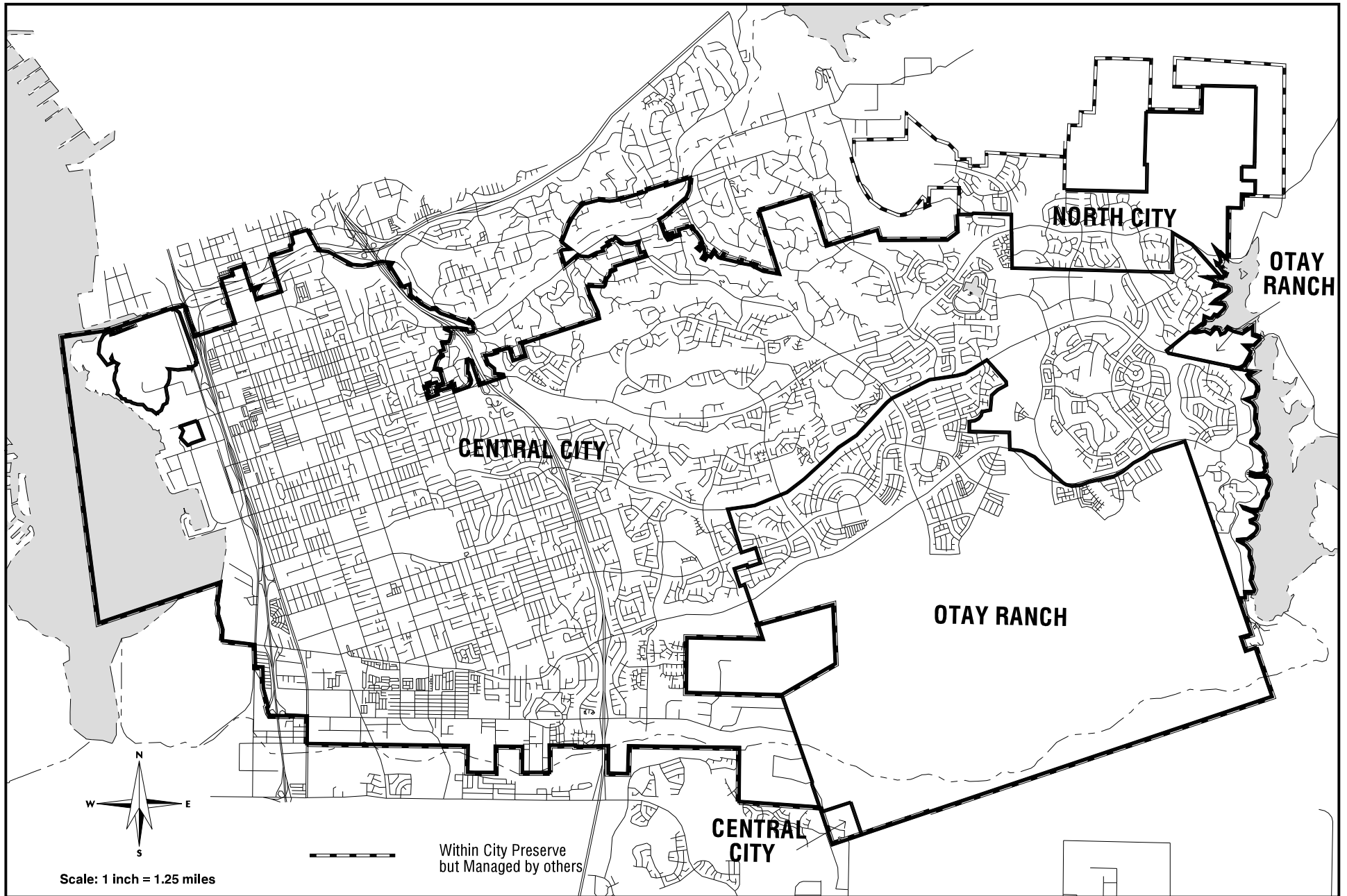
In addition to Priority I tasks, the City's Open Space Division implements brush management/fuel reduction activities under the direction of the MSCP Staff of the Department of Planning and Building and the Chula Vista Fire Department. Coordination between each of the City departments ensures that the fuel reduction activities are consistent with the City's MSCP Subarea Plan and reduces the risk of public health and safety for those residents located adjacent to the City's Preserve.

Along with the City's effort in managing the existing habitat within the Central City Preserve, the Friends of Rice Canyon continue to coordinate clean-up events in association with "I Love a Clean San Diego" - Creek to Bay Clean-up. The group consists of volunteers who use and reside adjacent to the canyon. Their focus is on the removal of trash and debris and invasive species, such as tamarisk and arundo within portions of the canyon. The Friends of Rice Canyon have met with City Staff and the City's biological consultant in order to receive the proper instruction on removing and discarding of these invasive species. Over the past year, the Friends of Rice Canyon have removed approximately 135 cubic yards of tamarisk and arundo from Rice Canyon.

### **North City PMA**

#### **Bella Lago**

Habitat preservation for this project consists of an on-site preservation of 86.5 acres of upland habitat with an additional off-site preservation of 2.5 acres of land containing a minimum of 210 Otay Tarplants.



GEOGRAPHIC INFORMATION SYSTEM

/projects/planning/mSCP/finalreport/pma.aml

## Preserve Management Areas

**FIGURE  
4**

Plot created: January 26, 2004

The Bella Lago project is currently in the construction phase of development. In accordance with the project's ASMDs, the developer is responsible for implementing short-term management directives until construction is complete and the Preserve lands have been transferred to the City or an appropriate management entity. Management activities performed in 2007 by the developer (K. Hovnanian) during construction phase of development have included routine monitoring of the site to ensure that construction activities remain within the approved limits of grading, contractor education, invasives removal, trash/litter removal, and access control. Since construction began for this project, no other surveys have been conducted at this time. Until the Preserve lands have been transferred to City or appropriate management entity, the City will ensure the developer is conducting the required surveys and monitoring and maintenance activities in 2008.

As noted previously in this report, Preserve lands which the developer has provided through an IOD have not been transferred over to the NWR or another management entity acceptable to the City. Until the Preserve areas have been transferred to an appropriate management entity, the developer is responsible for maintaining the biological integrity of the dedicated lands in accordance with the Bella Lago ASMDs. The developer is continuing to negotiate with the NWR to transfer the northern portion of the on-site conservation lands (76.7 acres) and the 10-acre off-site parcel to the NWR. Funding for the long-term management of the remaining 9.8 acres of dedicated lands has already been secured through an established endowment.

### **Rolling Hills Ranch**

In 2003, ASMDs were prepared for the Rolling Hills Ranch development. The developer (McMillin Land Development) and their consultants worked cooperatively with the City and the Wildlife Agencies in order to address comments received during the review and approval process. The ASMDs provide detailed preserve management measures for the on-site MSCP open space preserve, internal TMA, and the off-site Johnson Canyon Otay Tarplant Preserve. The developer is responsible for the short-term management for the on- and off-site land dedications until an appropriate management entity has been identified and approved by the City.

In accordance with the project ASMDs, additional measures such as contractor education, invasives removal, trash/litter removal, and access control continue to be implemented. The developer continues to maintain the 3-wire fencing, which was installed in 2006 to delineate the Preserve boundary, and prohibit encroachment into the Preserve. Additional access control measures such as signage and other barriers have been installed to further restrict ingress or unauthorized access specifically along an existing SDG&E easement on the west side of the project site. For 2007, the developer was effective in controlling perennial exotic species within the open space areas. Species such as black mustard, tamarisk, Brazilian pepper tree, and fountain grass were the focus of the weed abatement.

The developer is currently exploring the possibility of transferring the management and maintenance responsibilities of both the on- and off-site open space areas over to the POM. In the event that the POM does not accept these areas, then another conservation entity acceptable to the Wildlife Agencies and the City will be selected. The City will continue to coordinate with the developer to ensure that surveys are conducted in accordance with the approved ASMDs.

### **Otay Ranch PMA**

The County and the City together working as the POM are responsible for implementing the RMP management and monitoring strategies within the Otay Ranch Preserve. Specifically, the Otay Ranch RMP provides guidelines for the management and monitoring of the Otay Ranch Preserve and establishes conservation goals and restoration guidelines.

In 2007, the Park Ranger for the County conducted priority management and monitoring activities including general stewardship activities within the Otay Ranch Preserve. Additional monitoring activities conducted by the Park Ranger include inspection of the properties in order to identify any necessary debris that may be removed, and regular patrolling of the properties to ensure no unauthorized access or off-road vehicle activity is taking place. Currently the POM is managing approximately 1,293 acres of the land has been accepted into the Otay Ranch Preserve. In 2008, continued management and monitoring of the lands formally accepted by the POM will be conducted. A biological consultant has been retained in order to initiate biological surveys to obtain baseline data and an inventory of plants and wildlife. Surveying is anticipated to begin in 2008.

For lands that are pending conveyance, the POM requires private property owners for IOD areas within the Preserve to continue to manage their land pursuant to the RMP. Until such time as fee title is deeded to the POM for these properties, the management requirements of the RMP 1 and 2 must be implemented by the property owner. Funding for management of the Preserve will continue to be collected through the existing community facilities district, which supports monitoring and management activities of the POM.

Also in 2007, the City and County drafted the Long-Term Implementation program, which summarizes and prioritizes the required long-term management and monitoring activities required by the RMP for those lands that have been accepted by the POM. In December 2007, a draft version of the Long-Term Implementation Plan was made available to the public for review and comment. The public review period will end February 2008. Once comments have been reviewed by the POM, revisions will be made as necessary to the document and completion is anticipated by the end of 2008.

## **SECTION 6.0 - FUNDING FOR PRESERVE MANAGEMENT AND MONITORING**

The funding for management and monitoring of the MSCP Preserve has been designed to be self-sustaining through the establishment of various long-term management funding sources, such as non-wasting endowments and special tax districts. By establishing these type of funding mechanisms, the costs for management and monitoring of the Preserve is not entirely dependent upon City's general fund or grant monies. The following summarizes the funding mechanisms that have been applied or will be established to ensure funding is available in order to maintain and enhance the viability of the City's Preserve.

### **Central City PMA**

In the Central City PMA, the Preserve is currently in place. The Central City PMA is surrounded by existing urban development. The City is managing these areas through established financing mechanisms, including various Open Space Districts (OSDs), Landscape Lighting and Maintenance Districts (LLMDs), and Community Facilities Districts (CFDs). The Central City financing districts levy assessments or taxes on property owners in order to create a revenue source to meet open space maintenance budget needs. Currently the City is budgeting for Fiscal Year 08-09.

### **North City PMA**

For those Preserve areas that have been conveyed to the City through the entitlement process, funding has been established through the development of Community Facility Districts (CFDs) or endowment contribution. The following provides a brief description of the funding sources that have been developed through specific projects.

## **Bella Lago**

At this time, it is anticipated that the developer will be transferring approximately 77 acres of on-site upland habitat and a 10-acre off-site parcel containing Otay tarplant to the NWR. Funding for long-term management of the 9.8 acres is to come from a contribution of \$137,500 from the project developer (K. Hovnanian). This \$137,500 was initially calculated to cover the costs of applying the ASMDs to approximately 86 acres of land that was originally going to be managed by a third-party. This amount is expected to adequately cover the 9.8 acres that is in need of management. Currently, the standing balance is maintaining at \$137,500. At this time, the City is considering the transfer of these funds to an interest bearing account until the funds are placed in to a CFD account for this development project.

## **Rolling Hills Ranch**

Funding for the long-term maintenance and management of dedicated lands, including the on-site TMAs and off-site Otay tarplant area within Johnson Canyon, has been secured through the establishment of the Rolling Hills Ranch Communities Facilities District (CFD No. 11M), which levies a special tax on all Assessor Parcels within the established boundaries of the respective CFD. The developer has provided a one-time fee of \$100,000 to fund initial management and monitoring of the dedicated lands. Currently, the standing balance of the CFD is approximately \$110,000 of which funds may be used to implement Priority 1 tasks identified in the approved ASMDs. Until the on-site Preserve land has been formally accepted by a management entity acceptable to the City, the developer continues to cover the costs for implementing short-term maintenance tasks identified in the ASMDs.

## **Otay Ranch**

In the Otay Ranch PMA, a Communities Facilities District (CFD 97-2) was created to generate revenue for the purpose of Preserve management. CFD 97-2 was established in 1998 to fund the maintenance, management and biological monitoring program for the Otay Ranch Preserve in accordance with the Otay Ranch RMP and the terms of the CFD. The CFD finances both Priority I and Priority II-type Preserve management activity, including general maintenance, biological management and biological monitoring required by the Otay Ranch RMP.

The Otay Ranch CFD levies a tax on property owners within Otay Ranch in order to create the revenue source necessary to meet Preserve management funding requirements. Like the Central City financing districts, the CFD was established to create a perpetual funding source. Maximum tax rates were established at the time of district formation, based upon anticipated budget needs. The maximum tax rates are adjusted annually based upon CPI increases.

Pursuant to the CFD formation documents, specific maintenance, management and monitoring efforts funded through CFD 97-2 for the Otay Ranch Preserve include the following:

### **1. Maintenance**

Development and implementation of programs to maintain, operate and manage Preserve habitat values through cultivation, irrigation, trimming, spraying, fertilizing, or treatment of disease or injury; removal of trimmings, rubbish, debris, and other solid waste; maintenance of trails; removal and control of exotic plant species; and control of cowbirds through trapping efforts.

## 2. Security

Development and implementation of security programs to enforce “no trespassing” rules; curtail activities that degrade resources, such as grazing, shooting, and illegal dumping; remove trash, litter, and debris; control access; prohibit off-road traffic; and maintain fences and trails.

## 3. Improvements

Acquisition of equipment or installation of improvements necessary to perform maintenance, monitoring and security functions described in CFD 97-2.

## 4. Biota Monitoring

Implementation of the annual biota monitoring and reporting program consistent with the RMP to identify changes in the quality and quantity of Preserve resources including wildlife species, sensitive plants and sensitive habitat types.

As of July 2007, the funding balance for CFD 97-2 was \$284,045. The projected revenues from the most recent tax assessment are anticipated to generate approximately \$380,000. The POM is continuing to refine budget estimates based on projected revenues from annual tax assessments ensuring appropriate funds are available to implement required management and monitoring activities within the Otay Ranch Preserve in accordance with the RMP.

## **SECTION 7.0 – OUTREACH PROGRAMS**

The City is continuing to actively participate in regularly scheduled MSCP group meetings including the NCCP Southern California Partnership, MSCP Implementing Coordinating Committee (ICC), MSCP Monitoring Workgroup, and the MSCP Outreach Committee. The various MSCP group meetings consist of members from the USFWS, CDFG, Bureau of Land Management, local participating agencies, and private stakeholders. The primary objective of these group meetings is to discuss and evaluate monitoring methodologies, conservation techniques, and to provide meaningful educational information to the public about the importance of habitat conservation and how it adds to their quality of life.

## **SECTION 8.0 – IMPLEMENTATION PROBLEMS ENCOUNTERED**

As noted in the 2006 Annual Report, the City identified certain policies and requirements within the MSCP Subarea Plan and the Habitat Loss and Incidental Take (HLIT) Ordinance that needed further clarification and refinement. The following section discusses specific implementation issues which the City is currently working with the Wildlife Agencies.

### **Section 8.1 – Brush Management Guidelines**

In 2006, the City proposed to add language to the HLIT Ordinance which is consistent with brush management measures currently identified in the MSCP Subarea Plan and approved by the City’s Fire Department. This amendment to the HLIT Ordinance would provide brush management guidelines for project located outside of existing communities identified in the Subarea Plan.

This amendment will also address an issue specifically related to brush management guidelines for the Central City PMA. The City determined that the brush management/fuel reduction activities currently identified in the City’s MSCP Subarea Plan for the Central City are ambiguous and need clarification.

More specifically, the Central City guidelines provide conflicting information regarding brush management activities within Zone 3, which extends into the MSCP Preserve. Ultimately, the proposed HLIT amendment will clarify that brush management may be conducted within the Preserve, including the Central City Preserve, and it will also specify the type of fuel reduction activities that may occur.

In 2007, the City was in the process of updating the Wildland-Urban Interface Code (WUIC) to reflect current State and Federal regulations and incorporate brush management requirements identified in the City's Subarea Plan. The WUIC regulates building standards and fire prevention measures for projects located within wildland-urban interface areas. Because the City's Preserve is located adjacent to existing development, the City determined it was appropriate to process the HLIT amendment and WUIC update concurrently. At this time, the City is continuing to work on the WUIC update; therefore, once the revisions to the WUIC are complete, it is anticipated that these items will go forward together to the City of Chula Vista City Council in Spring of 2008.

### **Section 8.2 – De Minimis Impacts**

As noted in the 2006 Annual Report, the City will be proposing an amendment to the HLIT Ordinance to include specific language that will find projects resulting in impact to 0.1 acre or less of Tier I, II, and III habitat (as defined in Table 5-3 of the MSCP Subarea Plan) or 1-acre or less of non-native grasslands (unoccupied by Covered Species and/or Narrow Endemic Species) exempt from the HLIT Ordinance.

Due to limited staffing and budgetary constraints during 2007, the City was unable to proceed with processing this amendment. At this time, it is anticipated that the City may have an opportunity to process this amendment at the end of 2008. Prior to presenting the proposed HLIT Ordinance amendment to the City of Chula Vista City Council for consideration and adoption, the City will notify the Wildlife Agencies of its intention to proceed and revisit this matter at that time.

### **Section 8.3 – Development of Standard Mitigation Measures**

The City is continuing to work with the Wildlife Agencies in developing standard mitigation language to be applied to projects that result in impacts to direct and/or indirect impacts to nesting raptors and/or migratory birds. The following mitigation measure is being refined by the City and Wildlife Agencies and, once approved, will be applied to future development projects that result in impacts to nesting raptors and/or migratory birds.

To avoid any direct and indirect impacts to raptors and/or any migratory birds, removal of habitat that may support active nests should occur outside of the breeding season for these species (January 15 to August 15). In addition, construction activities adjacent to nesting habitat should also occur outside of the breeding season for these species. If removal of habitat and/or construction activities adjacent to nesting habitat must occur during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on and within 300-feet of the construction area and nesting raptors within 500-feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected a bio-monitor should be present on-site during construction to minimize construction impacts and to ensure that no nest is removed or disturbed until all young have fledged.

## **SECTION 9.0 – PROPOSED MSCP WORK PLAN FOR 2008**

For 2008, the City will strive to implement the following tasks in order to ensure compliance with the City's MSCP Subarea Plan and Implementing Agreement are maintained:

- Complete Central City ASMDs.
- Identify and implement Priority 2 tasks identified in completed ASMDs, if funding is available.
- Prepare and complete Implementation Guidelines, which will aid in the interpretation and facilitate implementation of the HLIT Ordinance.
- Accept IODs noted as pending gains in the 2005 and 2006 Annual Report.
- Establish standard mitigation language for impacts to migratory birds and/or raptors.
- Process amendment to the HLIT Ordinance.
- Seek grant opportunities.

## **SECTION 10.0 – CONCLUSION**

At the end of 2007, the City's Preserve acreage within the Subarea Plan boundary remained at 2,772 acres. Based on the total cumulative gain (including pending gains), the City has currently met 79% (7,274 acres) of the its targeted 9,243 acres of Preserve lands that must be secured in accordance with the City's MSCP Subarea Plan. Through future development entitlements, the City will continue to dedicate and convey land to Preserve in order to meet our obligation.

In 2008, the City anticipates that biological surveys will be initiated within the City's Preserve and various management and monitoring measures will continue to be implemented as identified in approved ASMDs for Rolling Hills Ranch and Bella Lago. In addition, the City will work with the Wildlife Agencies in pursuing grant opportunities that will further supplement existing funding sources. The City is eager to continue coordination the Wildlife Agencies in the upcoming year to ensure the MSCP Subarea Plan is successfully implemented and the value of the Preserve is maintained and protected in perpetuity.